

HOUSE BILL REPORT

SB 6371

As Passed House:
February 28, 2006

Title: An act relating to dead animal disposal.

Brief Description: Regulating the disposal of dead animals.

Sponsors: By Senators Rasmussen, Schoesler, Shin, Jacobsen and Sheldon; by request of Department of Agriculture.

Brief History:

Committee Activity:

Economic Development, Agriculture & Trade: 2/15/06, 2/22/06 [DP].

Floor Activity:

Passed House: 2/28/06, 97-0.

Brief Summary of Bill

- Provides the Department of Agriculture with rule-making authority to prescribe the time frame and approved methods for disposing of livestock that die because of disease.

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

Majority Report: Do pass. Signed by 23 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Kristiansen, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Bailey, Blake, Buri, Chase, Clibborn, Dunn, Grant, Haler, Holmquist, Kilmer, Kretz, McCoy, Morrell, Newhouse, Quall, Strow, P. Sullivan and Wallace.

Staff: Meg Van Schoorl (786-7105).

Background:

The Department of Agriculture (Department) Animal Health program is charged with preventing the introduction or spreading of infectious, contagious, communicable or dangerous animal diseases, such as brucellosis, tuberculosis, salmonella, rabies, and avian influenza. The program monitors animal movement across state lines, conducts tests and inspections to detect and eliminate certain diseases, and undertakes emergency management planning related to tracing back and controlling foreign or domestic diseases of concern.

The Department has a role in the disposal of dead animals through its administration of Chapter 16.68 RCW. The statute focuses primarily on the collection and rendering of dead meat food animals (cattle, horses, mules, swine, sheep, and goats). However, one section applies specifically to the routine disposal of animals that die from disease. Any animal that has died from disease or been killed because of disease must immediately be buried at least three feet deep. Any animal found dead is presumed to have died from disease.

The State Board of Health (Board), the Department of Health (Health), the Department of Ecology (Ecology), as well as local health departments have responsibilities pertaining to dead animal disposal. In 2005, legislation was enacted amending Ecology's solid waste statutes to allow composting of cows and horses under certain conditions, and the Board began the process of revising its dead animal disposal rules.

Summary of Bill:

The Department is provided rule-making authority to prescribe the time frame and approved methods for disposing of livestock that die because of disease. Disposal options include but are not limited to: burial, composting, incineration, landfilling, natural decomposition, or rendering. Only livestock found dead of an unknown cause are presumed to have died from disease.

The term "animal" is replaced with the term "livestock." As defined in Chapter 16.36 RCW, "livestock" includes horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, and other species designated by statute. It does not include free ranging wildlife as defined in Title 77 RCW.

The section providing for livestock disposal is recodified under the Department's animal health statute, Chapter 16.36 RCW.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The cattle industry supports this bill because it is important to clarify and codify common sense options beyond just burial for disposal of livestock carcasses. The Environmental Protection Agency rules require concentrated animal feeding operations to have carcass disposal plans. This request bill is part of a larger effort by the Departments of Agriculture, Health, Ecology, and the State Board of Health to make animal carcass disposal laws and rules up-to-date, consistent, and clear. The Department wants to move forward into rule-making and has a goal of compiling a guide to livestock carcass disposal.

Testimony Against: None.

Persons Testifying: Senator Rasmussen, prime sponsor; Jack Field, Washington Cattlemen's Association; and Mary Beth Lang and Dr. Leonard Eldridge, Washington Department of Agriculture.

Persons Signed In To Testify But Not Testifying: None.